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EXAMINER

ELAHEE, MD S

ART UNIT PAPER NUMBER

2645

DATE MAILED: 12/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/075,151

Applicant(s)

DELANEY ET AL.

Examiner

Md S Elahee

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2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15, 19-29 and 37-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15, 19-29 and 37-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is responsive to an amendment filed 05/28/04. Claims 1-15, 19-29 and 37-54 are pending. Claims 16-18 and 30-36 have been cancelled.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-15, 19-29 and 37-54 have been considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the added limitation at this time.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites the limitation "said optimal originating gateways" on page 2, line 9 of the claim. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, 4 and 37-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Voit et al. (U.S. Patent No. 6,295,292).

Regarding claim 1, Voit teaches a database (i.e., memory) for storing a customer profile record (CPR) (i.e., a category of telephone numbers) representing telephone calls to be placed over a data network in packet switched format (fig.18, 26; col.37, lines 10-28, 37-49, 62-67, col.38, lines 1-3, 14-40, col.41, lines 54-62).

Voit further teaches switch (i.e., processing means) for accepting a dialed telephone call directly from a device initiating the call, for determining, prior to the call reaching a telephone switch, whether the call is within the category, and for routing the call through an originating gateway to the data network if so (fig.26; col.41, lines 40-62).

Voit further teaches means for designating (i.e., selecting) the originating gateway from plural originating gateways each being capable of conveying the call to the data network (fig.18, 26; col.41, lines 49-51). (Note; company A has originating gateways 210 and 624 of fig.18, from which one of the originating gateway is selected)

Regarding claim 2, Voit teaches that the memory stores information concerning which of the plural originating gateways to utilize to access the data network (fig.18, 26; col.37, lines 10-28, 37-49, col.41, lines 49-62). (Note; based on the authorization from database 212, the originating gateway is able to get access)

Regarding claim 4, Voit teaches that the category is comprised of long distance calls (i.e., calls outside of an area code) in which the call originates (fig.18; col.25, lines 15-22).

Regarding claim 37, Voit teaches means for authenticating the caller by an identifier of the caller if the telephone call is determined to be within the category, and for forwarding, after the caller is authenticated, a dialed number associated with the call to the selected originating

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gateway so as to route the telephone call through the selected originating gateway to the data network (fig.18, 26; col.37, lines 10-28, 37-49, col.41, lines 49-62).

Regarding claim 38, Voit teaches means for setting up a first connection between the apparatus and the selected originating gateway for transmitting the identifier of the caller over the first connection to the selected originating gateway so as to be forwarded by the selected originating gateway to a computer over a second connection over the data network for authenticating the caller (fig.12, 18, 26; col.37, lines 10-28, 37-49, col.41, lines 49-62).

Regarding claim 39, Voit teaches means for forwarding the dialed number to the selected originating gateway through the first connection after the caller is authenticated (fig.12, 18, 26; col.37, lines 10-28, 37-49, col.41, lines 49-62).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Voit et al. (U.S. Patent No. 6,295,292) and in view of Mizuta et al. (U.S. Patent No. 6,584,110).

Regarding claim 3, Voit teaches that each of the originating gateways is capable of communicating over a data network to a terminating gateway 408 (fig.18, 26).

However, Voit does not specifically teach that each originating gateway is capable of communicating over a data network to plural terminating gateways. Mizuta teaches that caller

side gateway 10 (i.e., each originating gateway) is capable of communicating over a data network to plural terminating gateways 20 (fig.8). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Voit to incorporate each originating gateway being capable of communicating over a data network to plural terminating gateways as taught by Mizuta. The motivation for the modification is to have doing so in order to maintain the end-to-end communication between two different telecommunication network using data network without making any significant delay.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Voit et al. (U.S. Patent No. 6,295,292) and in view of Girard (U.S. Pub No. 2002/0176404).

Regarding claim 5, Voit fails to teach “said operations center being capable of altering information stored within said memory and implementing changes to said category of telephone numbers”. Girard teaches the operations center being capable of modifying information stored within the database and implementing changes to the category of telephone numbers (abstract; page 8, paragraph 0097, page 16, paragraph 0208; ‘modifying’ reads on the claim ‘altering’ and ‘database’ reads on the claim ‘memory’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Voit to allow operations center being capable of altering information stored within said memory and implementing changes to said category of telephone numbers as taught by Girard. The motivation for the modification is to have doing so in order to generate the updated information.

10. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Voit et al. (U.S. Patent No. 6,295,292) and in view of Crowe et al. (U.S. Patent No. 6,115,460) and further in view of Girard (U.S. Pub No. 2002/0176404).

Regarding claim 6 is rejected for the same reasons as discussed above with respect to claim 5.

11. Claims 7-11, 19, 25, 40-45 and 49-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neyman (U.S. Patent No. 6,215,783) and in view of Voit et al. (U.S. Patent No. 6,295,292).

Regarding claim 7 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Neyman teaches receiving, at an IP RTR (i.e., router), the call directly from a PSTN caller (i.e., device) initiating the call and examining, prior to the call reaching a Trunk gateway (i.e., telephone switch), a received telephone number to ascertain whether a particular property is present (fig.1; col.8, lines 66, 67, col.9, lines 1-6).

Neyman further teaches that if so, routing the call to a Data gateway, and if not, routing the call to a Trunk gateway (col.9, lines 1-6; 'Data gateway' reads on the claim 'originating gateway' and 'Trunk gateway' reads on the claim 'telephone switch').

However, Neyman fails to teach "if the call is routed to the originating gateway, examining the telephone number again to determine to which of a plurality of terminating gateways the call should be routed". Voit teaches that if the call is routed to the originating gateway, examining the telephone number again to determine to which of a plurality of destination (i.e., terminating) gateways the call should be routed (fig.2, 4, 14; page 4, paragraphs 0057-0059, 0061, page 9, paragraphs 0115- 0117, page 10, paragraphs 0124-0126). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to allow examining the telephone number again to determine to which of a



plurality of terminating gateways the call should be routed as taught by Voit. The motivation for the modification is to have doing so in order to provide the proper utilization of the resources.

Regarding claim 8, Neyman fails to teach “said originating gateway makes said determination of said terminating gateway in conjunction with other gateways”. Voit teaches that the originating gateway makes said determination of said terminating gateway in conjunction with other gateways (fig.2, 4, 14; page 4, paragraphs 0057-0059, 0061, page 9, paragraphs 0115-0117, page 10, paragraphs 0124-0126). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to allow the originating gateway making the determination of said terminating gateway in conjunction with other gateways as taught by Voit. The motivation for the modification is to have doing so in order to provide the proper utilization of the resources.

Regarding claim 9, Neyman fails to teach “reallocating traffic among plural terminating gateways”. Voit teaches reallocating traffic among plural terminating gateways (fig.2, 4, 14; page 4, paragraphs 0057-0059, 0061). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to reallocate traffic among plural terminating gateways as taught by Voit. The motivation for the modification is to have doing so in order to provide alternate route for the traffic in case of failure of the one terminating gateway.

Regarding claim 10 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Neyman teaches receiving, at an IP RTR (i.e., router), the call directly from a PSTN caller (i.e., device) initiating the call and examining a dialed number associated with a call prior to the call reaching a Trunk gateway (fig.1; col.8, lines 66, 67, col.9, lines 1-6; ‘Trunk gateway’ reads on the claim ‘telephone switch’).

Neyman further teaches that if the number is within a pre-defined criteria, conveying the telephone call to a first remotely located Trunk gateway over a data network (col.9, lines 1-6; 'pre-defined criteria' reads on the claim 'predetermined class of numbers' and 'Trunk gateway' reads on the claim 'telephone switch').

Neyman further teaches that if the number is not within the pre-defined criteria, conveying the telephone call to a second remotely located Trunk gateway over a telephone network (col.9, lines 1-6; 'pre-defined criteria' reads on the claim 'predetermined class of numbers' and 'Trunk gateway' reads on the claim 'telephone switch').

Regarding claim 11, Neyman teaches that the remote Trunk gateway is reached via a Trunk gateway, and wherein the determination of which of the Trunk gateway is utilized to reach the remote Trunk gateway is made at least in part by comparing a predetermined subset of digits contained in the dialed number (col.8, lines 61-67, col.9, lines 1-6; 'Trunk gateway' reads on the claim 'either a telephone switch, a first terminating gateway, or a second terminating gateway')

Regarding claim 19 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Neyman teaches receiving a dialed number associated with the call and examining the dialed number prior to the call reaching a Trunk gateway (i.e., telephone switch) by an IP router directly connected to a PSTN caller (i.e., device) initiating the call to determine whether the call shall be routed over the data network (col.8, lines 38-51; 'IP router' reads on the claim 'router').

Neyman further teaches parking the dialed number at the IP router (col.8, lines 38- 51; 'IP router' reads on the claim 'router').

Neyman further teaches transmitting the dialed number from the router to an the selected optimal originating gateway (e.g. either Data gateway or Trunk gateway) (col.9, lines 1-6).

Neyman further teaches parking the dialed number at the originating gateway (e.g. either Data gateway or Trunk gateway) (col.9, lines 1-6).

However, Neyman fails to teach “sending the dialed number from the first gateway to a second gateway over said data network”. Voit teaches sending the dialed number from the first gateway to a second gateway over the data network (fig.12, 18, 26; col.37, lines 10-28, 37-49, col.41, lines 49-62). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to send the dialed number from the first gateway to a second gateway over the data network as taught by Voit. The motivation for the modification is to have doing so in order to find out the best route to complete a call.

Neyman further fails to teach “connecting the call to a terminal identified by the dialed number”. Voit teaches connecting the call to a telephone 412 (i.e., terminal) identified by the dialed number (fig.12, 18, 26; col.37, lines 10-28, 37-49, col.41, lines 49-62). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to connecting the call to a terminal identified by the dialed number as taught by Voit. The motivation for the modification is to have doing so in order to redirect the call to the proper destination.

Regarding claim 25 is rejected for the same reasons as discussed above with respect to claim 19. Furthermore, Neyman fails to teach “determining if the caller is authorized”. Voit teaches determining if the caller is authorized (col.37, lines 10-28, 37-49, col.41, lines 49-62). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was

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made to modify Neyman to determine if the caller is authorized as taught by Voit. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Neyman further teaches sending the dialed number from the router to a first gateway (e.g. either Data gateway or Trunk gateway) (col.9, lines 1-6).

Regarding claims 40, 43, 49 and 52 are rejected for the same reasons as discussed above with respect to claim 37.

Regarding claims 41, 44, 50 and 53 are rejected for the same reasons as discussed above with respect to claim 38.

Regarding claims 42, 45, 51 and 54 are rejected for the same reasons as discussed above with respect to claim 39.

12. Claims 12-14 and 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit et al. (U.S. Patent No. 6,295,292) and in view of Gordon et al. (U.S. Patent No. 4,905,273).

Regarding claim 12 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Voit teaches the router being programmed to examine dialed numbers associated with calls prior to the calls reaching a PSTN (fig.18, 26; col.18, lines 7-12, col.24, lines 38-52, col.25, lines 3-13). (Note; since router route data packets along any available path based on known routing algorithm it is inherent that a router has to examine dialed numbers associated with calls prior to the calls reaching a PSTN)

It is not clear whether Voit teaches a router connected directly to a device initiating the calls. Gordon teaches a process intermediary (i.e., router) connected directly to a transmitter (i.e., device) initiating the calls (abstract; fig.1; col.2, line 35-col.3, line17, col.3, lines 32-36). Thus, it

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would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Voit to allow a router connected directly to a device initiating the calls as taught by Gordon. The motivation for the modification is to have doing so in order to receive call directly from the telephony device.

Voit further fails to teach “the router further being programmed to separate long distance calls from local calls, the router further being programmed to transmit some of the long distance calls and all of the local calls over a circuit switching network, and the remainder of the long distance calls over a packet switching network”. Gordon teaches the process intermediary further being programmed to separate long distance calls from local calls, the process intermediary further being programmed to transmit some of the long distance calls and all of the local calls over a circuit switching network, and the remainder of the long distance calls over a data network (i.e., packet switching network) (abstract; fig.1; col.2, line 35-col.3, line17, col.3, lines 32-36). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Voit to allow the router further being programmed to separate long distance calls from local calls, the router further being programmed to transmit some of the long distance calls and all of the local calls over a circuit switching network, and the remainder of the long distance calls over a packet switching network as taught by Gordon. The motivation for the modification is to have doing so in order to generate packets over the data network.

Regarding claim 13, Voit teaches the selected originating gateway is in communication with the router for converting the specific call from a circuit switched calls to a packet switched calls, and for routing same over the packet switching network (col.37, lines 10-28, 37-49, col.41, lines 49-62).

Regarding claim 14, Voit teaches a terminating gateway to convert telephone calls from a packet switching format on the packet switching network to a circuit switching format, and to place the calls in circuit switching format on the circuit switching network (fig.26; col.38, lines 14-40).

Regarding claim 46 is rejected for the same reasons as discussed above with respect to claim 37.

Regarding claim 47 is rejected for the same reasons as discussed above with respect to claim 38.

Regarding claim 48 is rejected for the same reasons as discussed above with respect to claim 39.

13. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Voit et al. (U.S. Patent No. 6,295,292) and in view of Gordon et al. (U.S. Patent No. 4,905,273) and further in view of Smith (U.S. Pub No. 2003/0123632).

Regarding claim 15, Voit in view of Gordon fails to teach “each of said terminating gateways incurs a charge as a result of terminating said calls, and wherein changes in such charges are utilized to update routing information stored in said router”. Smith teaches that each of the terminating gateways incurs a charge as a result of terminating the calls, and wherein changes in such charges are utilized to update routing information stored in the router (page 3, paragraphs 0025). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Voit in view of Gordon to allow each of the terminating gateways incurs a charge as a result of terminating said calls, and wherein changes in such charges are utilized to update routing information stored in the router as taught by Smith. The

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motivation for the modification is to have doing so in order to provide the proper charges for the telephone calls.

14. Claims 20-23, 26, 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neyman (U.S. Patent No. 6,215,783) and in view of Voit et al. (U.S. Patent No. 6,295,292) and further in view of Galvin (U.S. Patent No. 6,134, 315).

Regarding claim 20, Neyman in view of Voit fails to teach “acquiring the caller's number and determining if the caller is authorized”. Galvin teaches acquiring the caller's number and determining if the caller is authorized (abstract; col.4, lines 10-22, 42-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Voit to determine if the caller is authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 21, Neyman in view of Voit fails to teach “transmitting the calling number from the router to a computer”. Galvin teaches transmitting the calling number from the router to a processor (abstract; col.4, lines 10-53; ‘processor’ reads on the claim ‘computer’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Voit to transmit the calling number from the router to a computer as taught by Galvin. The motivation for the modification is to have doing so in order to match the identity of the user.

Neyman in view of Voit fails to teach “accessing a database associated with the computer”. Galvin teaches accessing a database associated with the processor (abstract; col.4, lines 10-53; ‘processor’ reads on the claim ‘computer’). Thus, it would have been obvious to one

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of ordinary skill in the art at the time the invention was made to modify Neyman in view of Voit to accessing a database associated with the computer as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Neyman in view of Voit fails to teach “comparing a calling number to information stored in the database”. Galvin teaches comparing a calling number to information stored in the database (abstract; col.4, lines 10-53). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Voit to compare a calling number to information stored in the database as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 22, Neyman in view of Voit fails to teach “sending an authorization to the router if the caller is authorized”. Galvin teaches sending an authorization to the router if the caller is authorized (abstract; fig.2; col.4, lines 10-53). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Voit to send an authorization to the router if the caller is authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 23, Neyman in view of Voit fails to teach “terminating the call if the caller is not authorized”. Galvin teaches terminating the call if the caller is not authorized (fig.2; col.8, lines 42-44). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Voit to terminate the call if the caller is



not authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 26, Neyman in view of Voit fails to teach “acquiring the calling number by the router and transmitting the calling number from the router to a computer”. Galvin teaches acquiring the calling number by the router and transmitting the calling number from the router to a computer (abstract; col.4, lines 10-53; ‘processor’ reads on the claim ‘computer’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Voit to acquire the calling number by the router and transmitting the calling number from the router to a computer as taught by Galvin. The motivation for the modification is to have doing so in order to match the identity of the user and to make sure the authorized person is using the network.

Regarding claim 28, Neyman in view of Voit fails to teach “sending an authorization to the router if the caller is authorized”. Galvin teaches sending an authorization to the router if the caller is authorized (abstract; col.4, lines 10-22, 42-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Voit to send an authorization to the router if the caller is authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 29, Neyman in view of Voit fails to teach “terminating the call if the caller is not authorized”. Galvin teaches terminating the call if the caller is not authorized (fig.2; col.8, lines 42-44). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Voit to terminate the call if the caller is

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not authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

15. Claims 24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neyman (U.S. Patent No. 6,215,783) and in view of Voit et al. (U.S. Patent No. 6,295,292) and further in view of Mizuta et al. (U.S. Patent No. 6,584,110).

Regarding claims 24 and 27, Neyman in view of Voit fails to teach "locating an optimum terminating gateway". Mizuta teaches locating an optimum terminating gateway (fig.8, col.9, lines 38-45, col.10, lines 54-59). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Voit to locate an optimum terminating gateway as taught by Mizuta. The motivation for the modification is to have doing so in order to handle a high volume of traffic.

### *Conclusion*

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sawyer (US Patent No. 5,852,779) teach System and method for having a single gateway set-up and maintain local signalling connections and March et al. (US Patent No. 6,459,783) teach Internet service provider call redirection.

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. E.

MD SHAFIUL ALAM ELAHEE  
December 2, 2004



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SUPERVISORY PATENT EXAMINER  
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